

HCS HB 162 -- DRAINAGE PENALTY FOR PUBLIC ROADS (Eggleston)

COMMITTEE OF ORIGIN: Standing Committee on Local Government

This bill abolishes certain criminal penalties and fines for obstruction of a public road under Section 229.150, RSMo, and instead sets up a system for the notification of landowners and requirements involving the repair of such roads. Landowners causing an obstruction will be notified by the county highway engineer or road overseer and given at least 30 days to make repairs or pay the reasonable costs to do so. If repairs are not made or costs not paid, then the county highway engineer or road overseer may petition a court for authorization to enter the land and remove the obstruction or repair the damage in order to restore the roadway or ditch to a condition substantially the same as the adjacent roadways and drainage ditches, and for the related costs.

If a court enters a judgment granting the petition and authorizing the requested actions, the judgment must include an award for the reasonable costs of removal or repair, court costs, and reasonable attorney's fees. The monetary judgment will be a lien on the property and collected in the same manner as state and county taxes.